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Court cases show how the North is still haunted by its past

An important opportunity has been missed. Bik McFarlane, a prominent Irish republican and a key supporter of the peace process, was freed by the Special Criminal Court when the case of kidnapping businessmen Don Tidey collapsed last Thursday.

Flanked by Arthur Morgan of Sinn Féin, McFarlane told journalists afterwards of the heavy toll the charges had taken on him and his family over the last 10 years.

Sympathy is indeed due to the man, who like any other who comes before our judicial system, is presumed innocent until proven guilty.

But despite questions, McFarlane failed to express any sympathy for the family of Don Tidey, or indeed the businessman himself who suffered an appalling ordeal at the hands of republicans 25 years ago and had to relive the ordeal in evidence in court.

There was no mention of the young garda or army private who lost their lives in the shoot-out that led to Tidey's release. Humanity is not an admission of guilt and instead of just focusing on his own travails, McFarlane, whose life has been so concerned with issues of social justice, could have taken the opportunity of extending a hand of reconciliation, without any liability, on behalf of his community.

Friday was another dark day in the optimism for Northern Ireland so evident since the end of the troubles. A republican 'wall of silence' from the moment of Robert McCartney's murder effectively killed any chance that there would be justice for his sisters and family.

None of the estimated 72 witnesses who saw what happened was prepared to give evidence to the PSNI and the evidence procured was deemed insufficient in court to secure a conviction.

The ending of both trials, coming on consecutive days, casts a shadow on the progress and development of Northern Ireland from a bitter insular community riven by distrust and sectarianism to the modern, forward-looking dynamic society it has become today. And they also served to remind us that the past may be a different country, but its dust still marks the footsteps to the future.

June 29, 2008

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